

January 18, 2017



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20303

EXPIRATION DATE: 2018-06-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Faraday & Future, Inc.
Gardena, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of prototype and low production lithium ion batteries, and vehicles containing these batteries, with batteries exceeding the 35 Kg maximum weight authorized for transportation via cargo aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
 - d. This special permit serves as an approval under Special Provision A88 and State Variation US 3 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the ICAO TI.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9B) in that lithium batteries may have a mass exceeding 35 kg per package; § 173.185(a)(1) in that lithium batteries need not be tested in accordance with the UN Manual of Tests and Criteria for prototype and low production batteries; and § 173.185(e) in that lithium batteries that weigh 12 kg or more and have a strong, impact-resistant outer casing need not be packaged in combination UN Standard packagings, as provided herein.
5. BASIS: This special permit is based on the application of Faraday & Future Inc., dated July 25, 2016 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries	9	UN3480	N/A
Battery-powered vehicle	9	UN3171	N/A

7. SAFETY CONTROL MEASURES:

a. Operational Controls:

(1) Only prototype and low production lithium ion battery modules and batteries may be offered for transportation under the terms of this special permit. Low production is defined as annual production of not more than 100 battery modules or batteries of a particular type.

(2) Battery modules and batteries must be protected against short circuiting

(3) The battery modules and batteries, and batteries in battery-powered vehicles must be offered for transportation at a state of charge not exceeding 30 percent.

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(4) Cells must have shutdown separators, current interruption devices and cell vents to prevent thermal events.

(5) Batteries must be equipped with a battery management system which prevents overcharge, overdischarge and overheating.

b. Testing Requirements:

(1) All lithium ion cells (Model Name: (INR21700-48G) must be of a type that has passed all required tests as specified in the "UN Manual of Tests and Criteria, 6th Revised Edition."

(2) Prior to transport, a battery will be stored at 55°C for at least 48 hours followed by a short circuit test (connecting a conductor across the positive and negative terminals and maintaining this short circuit for at least one hour after the case temperature has returned to 55°C). Battery will be considered safe to transport if it shows no disassembly or fire.

c. Packaging Requirements:

(1) Battery modules or batteries must be individually packaged in a fully enclosed inner packaging and surrounded by cushioning material that is non-combustible, and non-conductive;

(2) Battery modules or batteries must be further packaged in an outer packaging that meets Packing Group I performance criteria;

(3) Batteries weighing 12 kg or more and having a strong, impact-resistant outer casing may be packaged in strong outer packagings;

(4) The batteries must be secured to prevent inadvertent movement and the terminals may not support the weight of other superimposed elements;

(5) Batteries contained in the vehicle must be securely fastened within the vehicle and protected in such a manner as to prevent damage and short circuits during transport, and be shipped at not more than 30% state of charge; and

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(6) The net weight of batteries may not exceed 2000 kg.

d. MARKING - Each package covered under the terms of this special permit must be durably and legibly marked and displayed on a background of contrasting color with "DOT-SP 20303."

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained and made available for examination at each facility where the materials are packaged and offered or reoffered for transportation.

c. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.

d. The grantee must maintain a record of all activity conducted under the authority granted in this special permit and upon request make this information available to DOT representatives or enforcement officials. The record must contain a listing and number of shipments made to include:

(1) Dates of shipment; and

(2) Description of each type of shipment.

e. All of the above information must be made available upon request to a DOT representative or an enforcement Official.

f. A battery, battery assembly or monitoring system that is determined to be defective, may not be shipped under this special permit.

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9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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